

**BOARD OF PODIATRIC MEDICAL EXAMINERS
OPEN SESSION MEETING MINUTES**

October 2, 2008

Room 108/109

The Open Session meeting of the Maryland Board of Podiatric Medical Examiners was held on Thursday, October 2, 2008 in Room 108/109, 4201 Patterson Avenue. The meeting was called to order at 1:06 p.m. by President Dr. David Freedman. Board members present were Drs. Steven Chatlin, Ira Gottlieb, Jay LeBow, Tanya Sellers-Hannibal, Mrs. Ernestine Jones Jolivet and Ms. Barbara Crosby. Also present were Eva Schwartz, Executive Director, Richard Bloom, AAG, Board Counsel, Sally Reier, Administrative Officer, and Oladuni Akinpelu, Administrative Specialist. Guests present were Lynda Lardner-McGinnis, D.P.M., Maryland Podiatric Medical Association (MPMA) representative, Paula Hollinger, Associate Director of Health Work Force, and Sharon Bloom, Executive Assistant.

A. MINUTES:

The minutes from the September 11, 2008 meeting were reviewed and unanimously approved as submitted. Staff was requested to post the approved minutes on the Board's website as well as approved responses to scope of practice inquiries.

B. OLD BUSINESS:

1. Regulations – Fees Schedule

Dr. Lardner McGinnis reported that the need for an increase in licensure fees was well explained at the MPMA membership meeting and was not met with opposition. Ms. Schwartz informed the Board that she responded to a request to provide information to Delegate Healey concerning the Board's proposed fees schedule. If AELR wants to put a hold on this proposal, the Board will need to be notified by November 12, 2008, which is the 46th day after the proposal was printed in the Maryland Register and the first day that the Secretary can sign off on the regulations adopting them as final. If AELR does not notify the Board of a hold on this proposal, the regulatory process will proceed.

2. Board Newsletter

- Fall 2008 *Toe The Line*

The Board reviewed the fall 2008 newsletter, *Toe The Line*, which will be distributed to all licensees.

3. Schedule of Board meetings – 2009

The 2009 schedule of Board meetings was provided for informational purposes.

4. HB811 Task Force on Discipline of Health Care Professionals and Improved Patient Care

The Board reviewed a memo regarding the Health Occupations Task Force noting that the Task Force decided to focus on the following five areas of the Health Occupation Boards: Public Information/Communication, Board Sanctions, Legal Issues and Due Process Concerns, Speedy Resolution of Cases and Board Structure. Ms. Hollinger reported that Secretary Colmers was very interested in having more standardization among the Boards and more transparency to licensees and the public. The Task Force is next scheduled to meet on October 10, 2008.

C. NEW BUSINESS:

1. Network credentialing of new practitioners

On October 1, 2008, a new law became effective in Maryland, SB 595 of 2008. Under this law, physicians who are joining existing network practices, but whose credentialing is not yet complete, will be paid based on the group's contracted rate. Specifically, these physicians must submit claims listing the group tax ID number as the secondary identifier, including the group name and address. The Board reviewed this information and determined that no Board action was needed at this time.

2. Scope of Practice inquiry

The Board reviewed correspondence from Dr. Gottlieb whereby he requested a scope of practice determination concerning ultrasound imaging. The Board determined that performing CPT 76942, using ultrasound imaging for the placement of injections in the foot, ankle or leg (below the level of the mid-calf) is considered within the scope of practice of podiatry in Maryland. Staff was requested to write to Dr. Gottlieb informing him of same.

3. Policy on Sanctioning for Failure to Meet Continuing Education Requirements – Virginia Board of Dentistry

The Board reviewed the Virginia Board of Dentistry's policy on sanctioning for failure to meet continuing education requirements noting their guidelines for imposing disciplinary sanctions. The Board determined that no action was required at this time.

With no further business, the meeting was adjourned at 1:37 p.m.

CLOSED SESSION: Pursuant to Maryland State Government Annotated "10-501 et seq." the Board unanimously approved a motion to close its meeting at 1:37 p.m., in room 108/109 for the purpose of complying with the Maryland Medical Practice Act that prevents public disclosures about particular proceedings or matters.

Respectfully submitted,

Ernestine Jones Jolivet, Secretary/Treasurer